

**CLAIM AMENDMENTS**

- 1    1.    (Original)    A method for selecting a victim to be used during resolution of a  
2           deadlock, the method comprising the steps of:  
3           initially establishing a plurality of resources involved in said deadlock as a set of  
4           candidates to be said victim;  
5           performing a first filtering pass that removes candidates from said set based on  
6           CAN-BE-VICTIM flags associated with said candidates;  
7           if more than a single candidate remains in said set after said first filtering pass,  
8           then performing a second filtering pass that removes candidates from said  
9           set based on priorities associated with said candidates; and  
10          if more than a single candidate remains in said set after said second filtering pass,  
11          then performing a third filtering pass that removes candidates from said set  
12          based on runtimes associated with possessory entities associated with said  
13          candidates; and  
14          when said set has been filtered to include a single candidate, selecting said  
15          candidate as said victim.
- 1    2.    (Original)    The method of Claim 1 wherein at least a portion of the priority of  
2           a given resource is established dynamically.

1     3.     (Original)     The method of Claim 2 wherein said portion is established based  
2             on which other resources are held by a possessory entity associated with the given  
3             resource.

1     4.     (Original)     The method of Claim 1 wherein at least a portion of the priority of  
2             a given resource is established statically.

1     5.     (Original)     The method of Claim 4 wherein said portion is established based  
2             on the type of the given resource.

1     6.     (Currently Amended) A method for selecting a victim to be used during  
2             resolution of a deadlock, the method comprising the steps of:  
3             initially establishing a plurality of candidates involved in said deadlock as  
4                 candidates to be said victim;  
5             filtering said plurality of candidates based on one or more factors until a single  
6                 candidate remains as a candidate to be said victim, wherein the step of  
7                 filtering comprises filtering each candidate of the plurality of candidates by  
8                 taking into account, for each candidate, at least one factor of the one or  
9                 more factors; and  
10            selecting said single candidate as the victim to be used during resolution of said  
11            deadlock.

- 1    7.    (Original)    The method of Claim 6 wherein the step of filtering further  
2           includes removing from said plurality of candidates any candidates that have a  
3           CAN-BE-VICTIM flag that indicates the candidate cannot be a victim.
- 1    8.    (Original)    The method of Claim 6 wherein the step of filtering further  
2           includes removing from said plurality of candidates the candidates whose resource  
3           priority is higher than the resource priority of at least one of the other candidates.
- 1    9.    (Original)    The method of Claim 6 wherein the step of filtering further  
2           includes removing from said plurality of candidates all the candidates that are  
3           associated with possessory entities have been running for a duration of time that is  
4           relatively longer than the duration of time that possessory entities associated with  
5           the other candidates have been running.
- 1    10.   (Original)    The method of Claim 6 wherein the step of filtering further  
2           includes the computer implemented steps of:  
3           removing some candidates from the plurality of candidates in a first pass based on  
4           a first factor wherein the candidates left is a first subset of candidates; and  
5           removing some candidates from the first subset of candidates in a second pass  
6           based on a second factor that is different from the first factor.
- 1    11.   (Original)    The method of Claim 10 wherein the candidates left after said  
2           second pass is a second subset of candidates and wherein the second pass based

3 on the second factor is only performed if after performing the first pass more than  
4 one candidate is in the first subset of candidates.

1 12. (Original) The method of Claim 11 further comprising the computer-  
2 implemented step of performing a third pass based on a third factor only if after  
3 performing the first and the second pass more than one candidate is in the second  
4 subset of candidates wherein the third factor is different from the first factor and  
5 the second factor.

1 13. (Currently Amended) The method of Claim 6 wherein the step for filtering further  
2 comprises the computer-implemented steps of:  
3 performing a first pass to filter out any candidates that have a CAN-BE-VICTIM  
4 flag indicating that one is not candidate for termination;  
5 if more than one candidate is left after performing the first pass, then performing a  
6 second pass to filter out any candidates whose resource priority is higher  
7 than the resource priority of at least one of the other candidates;  
8 if more than one candidate is left after performing the second pass, then  
9 performing a third pass to filter out all the candidates except the candidate  
10 that has been running for the shortest duration of time.

1 14. (Original) The method of Claim 6 wherein the step of filtering includes  
2 filtering based on priorities established for said candidates.

1 15. (Original) The method of Claim 14 wherein at least a portion of the priority  
2 of a given candidate is established dynamically.

1 16. (Original) The method of Claim 15 wherein said portion is established based  
2 on which resources other than said candidate are held by a possessory entity  
3 associated with the given candidate.

1 17. (Original) The method of Claim 14 wherein at least a portion of the priority  
2 of a given candidate is established statically.

1 18. (Original) The method of Claim 17 wherein said portion is established based  
2 on the type of the given candidate.

1 19. (Original) A computer-readable medium carrying instructions for selecting a  
2 victim to be used during resolution of a deadlock, the computer-readable medium  
3 comprising instructions for performing the steps of:  
4 initially establishing a plurality of resources involved in said deadlock as a set of  
5 candidates to be said victim;  
6 performing a first filtering pass that removes candidates from said set based on  
7 CAN-BE-VICTIM flags associated with said candidates;  
8 if more than a single candidate remains in said set after said first filtering pass,  
9 then performing a second filtering pass that removes candidates from said  
10 set based on priorities associated with said candidates; and

11 if more than a single candidate remains in said set after said second filtering pass,  
12 then performing a third filtering pass that removes candidates from said set  
13 based on runtimes associated with possessory entities associated with said  
14 candidates; and  
15 when said set has been filtered to include a single candidate, selecting said  
16 candidate as said victim.

1 20. (Original) The computer-readable medium of Claim 19 wherein at least a  
2 portion of the priority of a given resource is established dynamically.

1 21. (Original) The computer-readable medium of Claim 20 wherein said portion  
2 is established based on which other resources are held by a possessory entity  
3 associated with the given resource.

1 22. (Original) The computer-readable medium of Claim 19 wherein at least a  
2 portion of the priority of a given resource is established statically.

1 23. (Original) The computer-readable medium of Claim 22 wherein said portion  
2 is established based on the type of the given resource.

1 24. (Currently Amended) A computer-readable medium carrying instructions for  
2 selecting a victim to be used during resolution of a deadlock, the computer-  
3 readable medium carrying instructions for performing the steps of:

4 initially establishing a plurality of candidates involved in said deadlock as  
5 candidates to be said victim;  
6 filtering said plurality of candidates based on one or more factors until a single  
7 candidate remains as a candidate to be said victim, wherein the step of  
8 filtering comprises filtering each candidate of the plurality of candidates by  
9 taking into account, for each candidate, at least one factor of the one or  
10 more factors; and  
11 selecting said single candidate as the victim to be used during resolution of said  
12 deadlock.

1 25. (Original) The computer-readable medium of Claim 24 wherein the step of  
2 filtering further includes removing from said plurality of candidates any  
3 candidates that have a CAN-BE-VICTIM flag that indicates the candidate cannot  
4 be a victim.

1 26. (Original) The computer-readable medium of Claim 24 wherein the step of  
2 filtering further includes removing from said plurality of candidates the candidates  
3 whose resource priority is higher than the resource priority of at least one of the  
4 other candidates.

1 27. (Original) The computer-readable medium of Claim 24 wherein the step of  
2 filtering further includes removing from said plurality of candidates all the  
3 candidates that are associated with possessory entities have been running for a

4 duration of time that is relatively longer than the duration of time that possessory  
5 entities associated with the other candidates have been running.

1 28. (Original) The computer-readable medium of Claim 24 wherein the step of  
2 filtering further includes the computer implemented steps of:  
3 removing some candidates from the plurality of candidates in a first pass based on  
4 a first factor wherein the candidates left is a first subset of candidates; and  
5 removing some candidates from the first subset of candidates in a second pass  
6 based on a second factor that is different from the first factor.

1 29. (Original) The computer-readable medium of Claim 28 wherein the  
2 candidates left after said second pass is a second subset of candidates and wherein  
3 the second pass based on the second factor is only performed if after performing  
4 the first pass more than one candidate is in the first subset of candidates.

1 30. (Original) The computer-readable medium of Claim 29 further comprising  
2 instructions for the computer-implemented step of performing a third pass based  
3 on a third factor only if after performing the first and the second pass more than  
4 one candidate is in the second subset of candidates wherein the third factor is  
5 different from the first factor and the second factor.

1 31. (Currently Amended) The computer-readable medium of Claim 24 wherein the  
2 step for filtering further comprises the computer-implemented steps of:



3 performing a first pass to filter out any candidates that have a CAN-BE-VICTIM  
4 flag indicating that one is not candidate for termination;  
5 if more than one candidate is left after performing the first pass, then performing a  
6 second pass to filter out any candidates whose resource priority is higher  
7 than the resource priority of at least one of the other candidates;  
8 if more than one candidate is left after performing the second pass, then  
9 performing a third pass to filter out all the candidates except the candidate  
10 that has been running for the shortest duration of time.

1 32. (Original) The computer-readable medium of Claim 24 wherein the step of  
2 filtering includes filtering based on priorities established for said candidates.

1 33. (Original) The computer-readable medium of Claim 32 wherein at least a  
2 portion of the priority of a given candidate is established dynamically.

1 34. (Original) The computer-readable medium of Claim 33 wherein said portion  
2 is established based on which resources other than said candidate are held by a  
3 possessory entity associated with the given candidate.

1 35. (Original) The computer-readable medium of Claim 32 wherein at least a  
2 portion of the priority of a given candidate is established statically.

1 36. (Original) The computer-readable medium of Claim 35 wherein said portion  
2 is established based on the type of the given candidate.